

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

JAMES M. HINKLEY,

Plaintiff,

v.

ELDON VAIL, SCOTT RUSSELL,
KERRY ARLOW, JEFFREY L.
CARLSEN, STEVE DEMARS, JOHN
AND JANE DOES 1-32,

Defendants.

No. C12-5969 RBL/KLS

ORDER REGARDING PLAINTIFF'S
SUBMISSION OF "EVIDENCE"

On March 13, 2012, Plaintiff filed a document entitled "Entering Evidence to Answer of Defendants' Answer." ECF No. 36. Plaintiff states that he received proof that some of the defendants were aware of his medical complaints. *Id.* Plaintiff is advised that the Court will take no action with regard to this filing.

DISCUSSION

While it is certainly permissible to attach exhibits to pleadings and motions if the exhibits are incorporated by reference (Fed. R. Civ. P. 10(e)), they are not necessary in the federal system of notice pleading. Fed. R. Civ. P. 8(a). Plaintiff is not obligated to prove the allegations in his complaint at this stage. In addition, Plaintiff may not submit affidavits or other documents for the purpose of using them as evidence at later stages in litigation. This Court will not serve as a storehouse for his evidence. Evidence should not be submitted until this action reaches an appropriate stage in litigation for the submission of evidence, such as in response to a motion for summary judgment, at trial, or when specifically requested by the

1 Court. Evidence must be submitted at the proper time and under the proper procedures.
2 Attaching exhibits to the complaint or to declarations filed independently of any motion is not
3 the proper procedure for admitting evidence for the purpose of proving his allegations.

4 Accordingly, it is **ORDERED** that the Court will take no action on ECF No. 36. The
5 Clerk shall send a copy of this Order to Plaintiff and counsel for Defendants.
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8 **DATED** this 28th day of March, 2103.

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11 Karen L. Strombom
12 United States Magistrate Judge
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